

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:11-CR-52-2BO

UNITED STATES OF AMERICA           :  
                                      :  
                  v.                   :  
                                      :  
GREGORY KEITH CREARY               :


ORDER

The matter before the Court is the hearing on the competency of the Defendant after he was ordered to have an evaluation pursuant to 18 U.S. C. Sections 4142 and 4247. The matter was set to be heard and was heard on February 8, 2012, in the United States District Court in Elizabeth City, North Carolina. The Court heard the testimony of Dr. Heather Ross, determined by the Court to be an expert in the area of clinical and forensic psychology, on February 8, 2012. It was Dr. Ross' opinion that the Defendant may be presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Based upon Dr. Ross' opinion and the Forensic Psychological Report prepared by Dr. Ross, the Court finds by a preponderance of the evidence that the Defendant is currently suffering from a mental defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist in his defense.

Based on the foregoing findings and conclusions, the Defendant is ordered to be committed to the custody of the Attorney General, or his authorized agent, to hospitalize the Defendant for treatment in a suitable facility for a reasonable time not to exceed four months for the purpose of determining whether there is a substantial possibility that in the foreseeable future the Defendant will attain the capacity to permit the trial to proceed pursuant to 18 U.S.C. Section 4241(d).

SO ORDERED.

This the 16 day of February, 2012.

  
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Terrence W. Boyle  
UNITED STATES DISTRICT JUDGE